IN THE HIGH COURT OF JUDICATURE AT PATNA
MA No.215 of 2004
RITA DEVI
Versus
RAM SWAROOP DAS & ANR

6/ 11.09.2008 Sri Manoj Kumar has filed Vakalatnama on behalf of the appellant Rita Devi, who has moved the petition dated 08.09.2008 filed under Section 151 of the CPC for withdrawal of statutory amount of Rs. 25,000/- (Twenty Five thousand) which has been deposited in M.A. No. 215 of 2004 as per requirement of Section 173 of the Motor Vehicle Act, vide chalan dated 31st August, 2004.

It has been submitted that the aforesaid M.A. Case was finally heard and dismissed vide order dated 24.05.2007.

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In the said petition, the date of dismissal has not been mentioned and office has pointed out that the sole appellant has been reappearing through her new counsel Sri Manoj Kumar by signing in English on the body of Vakalatnama while she has singed in Hindi on the body of previous Vakalatnama. The learned counsel is directed to verify the para 3 and 4 of the aforesaid petition.

This appeal has been filed by the appellant Rita Devi.

From the previous Vakalatnama, it appears that Vakalatnama was received through husband of the Rita Devi, namely, Gopal Sao and accepted by Sri Dinu Kumar, Advocate and Sri Ranjeet Kumar, Advocate on 30.06.2004 at their residence and Bihar Bar Council Bhawan respectively.

Learned counsel Sri Manoj Kumar has not obtained No Objection Certificate from either of the aforesaid lawyers.

It has been submitted that Sri Ranjeet Kumar has left legal practice in the High Court. So, Sri Manoj Kumar should obtain N.O.C. from Sri Dinu Kumar as also obtain signature of Rita Devi appearing on her previous Vakalatnama in Hindi as it is related to withdrawal of money and, thereafter, necessary orders shall be passed.

Put up this case after two weeks.

Sanjeet **(Subash Chandra Jha, J.)**

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